



PATENT  
ATTORNEY DOCKET NO.: 040894-7022

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                                    |   |                        |
|------------------------------------|---|------------------------|
| In re Application of:              | ) | Confirmation No.: 5598 |
|                                    | ) |                        |
| Akinobu SAWADA                     | ) | Group Art Unit: 2643   |
|                                    | ) |                        |
| Application No.: 10/814,869        | ) | Examiner: A. Wendell   |
|                                    | ) |                        |
| Filed: April 1, 2004               | ) |                        |
|                                    | ) |                        |
| For: PORTABLE ELECTRONIC APPARATUS | ) |                        |

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Customer Window, Mail Stop Amendment**  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

**RESPONSE AND RECONSIDERATION TRANSMITTAL FORM**

1. Transmitted herewith is a Response and Reconsideration responding to the Office Action dated February 16, 2006.
2. Additional papers enclosed:

- |                          |  |
|--------------------------|--|
| <input type="checkbox"/> | Drawings: <input type="checkbox"/> Formal <input type="checkbox"/> Informal (Correction) |
| <input type="checkbox"/> | Information Disclosure Statement   |
| <input type="checkbox"/> | Form PTO-1449, _ reference included  |
| <input type="checkbox"/> | Citations  |
| <input type="checkbox"/> | Declaration of Biological Deposit  |
| <input type="checkbox"/> | Submission of Replacement Sheet of Drawings  |
| <input type="checkbox"/> | ( ) Sheets of Drawings containing _ Figures  |

07/17/2006 MGE BREM1 00000082 500310 10814869

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3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months<br/>Requested</u>              | <u>Fee for<br/>Extension</u> | <u>[Fee for Small<br/>Entity]</u> |
|--|------------------------------|-----------------------------------|
| <input type="checkbox"/> one month             | \$ 120.00                    | \$ 60.00                          |
| <input checked="" type="checkbox"/> two months | \$ <b>450.00</b>             | \$ 225.00                         |
| <input type="checkbox"/> three months          | \$ 1,020.00                  | \$ 510.00                         |
| <input type="checkbox"/> four months           | \$ 1,590.00                  | \$ 795.00                         |

Extension of time fee due with this request: **\$450.00**.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED                                     |   |       |                                |                  |               |            |
|---|---|-------|--------------------------------|------------------|---------------|------------|
|   | Claims<br>Remaining<br>After<br>Amendment |       | Highest No.<br>Previously Paid | Present<br>Extra | at Rate of    | Total Fees |
| Total Claims<br>(37 C.F.R. §1.16(c))                  | 5   | minus | 20                             | 0                | x \$50 each=  | + \$0.00   |
| Independent Claims<br>(37 C.F.R. §1.16(b))            | 2   | minus | 3                              | 0                | x \$200 each= | + \$0.00   |
| [ ] First presentation of Multiple dependent claim(s) |   |       |                                |                  | \$360.00      | + \$ 0.00  |
| SUB-TOTAL =   |   |       |                                |                  |               | \$0.00     |
| Reduction by ½ for filing by a small entity           |   |       |                                |                  |               | - \$0.00   |
| TOTAL FEE =   |   |       |                                |                  |               | \$0.00     |

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ Please charge Deposit Account No. 50-0310 the total of **\$450.00** for the two-month extension of time fee. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**By: Bradford A. Cangro  
Reg. No. 58,478

Dated: July 14, 2006

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